

Notice of Allowability

Application No.

09/971,993

Examiner

Tramar Harper

Applicant(s)

BILYEU ET AL.

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/07/07.
2. ☒ The allowed claim(s) is/are 55-57, 59, 61-63, 65, 67-69 and 71.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

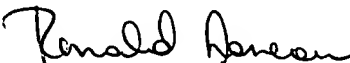
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 12/07/07 12/6/07, 9/4/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


RONALD LANEAU
PRIMARY EXAMINER

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Renato L. Smith on 8/16/07.

The application has been amended as follows:

In the Claims:

Claim 55 (delete the content of previous claim & replace with the following):

-- A gaming device comprising:

a display device;

an input device;

a memory device; and

a processor operatively coupled to the display device, the input device, and the memory device, the processor being programmed to:

- (a) cause the display device to display a plurality of reels, each one of the reels displaying a plurality of symbols including a first symbol and a second symbol,
- (b) receive a wager,
- (c) cause the display device to display the reels moving,
- (d) cause the display device to display the reels stopped so as to cause the stopped reels to display a plurality of combinations of the symbols,

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- (e) receive a player input from the input device, the player input being associated with a movement of the first symbol displayed on one of the stopped reels, the movement occurring relative to at least said stopped reel,
- (f) cause the display device to display a third symbol other than the first symbol, the second symbol or any one of the other symbols of the reels;
- (g) cause the display device to display the movement of the first symbol;
- (h) cause the display device to display an interaction between the first symbol and the third symbol, the interaction being affected by the player input;
- (i) select the second symbol based, at least in part, on the interaction, thereby changing the second symbol so as to change at least one of the combinations of symbols to a different one of the combinations of symbols,
- (j) evaluate the different combination of symbols, and
- (k) determine whether a payout is due based, at least in part, on the evaluation. --

Claim 61 (delete the content of previous claim & replace with the following):

-- A gaming system comprising:
at least one processor; and
at least one data storage device operatively coupled to the processor, the data storage device storing a plurality of instructions which are executable to:

- (a) cause a plurality of reels to be displayed, each one of the reels displaying a plurality of symbols including a first symbol and a second symbol,
- (b) receive a wager,

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- (c) cause the reels to be displayed as moving,
- (d) cause the reels to be displayed as stopped so as to cause the stopped reels to display a plurality of combinations of the symbols,
- (e) receive a player input from the input device, the player input being associated with a movement of the first symbol displayed on one of the stopped reels, the movement occurring relative to at least said stopped reel,
- (f) cause a third symbol to be displayed, the third symbol being other than the first symbol, the second symbol or any one of the other symbols of the reels,
- (g) cause the movement of the first symbol to be displayed,
- (h) cause an interaction to be displayed, the interaction occurring between the first symbol and the third symbol, the interaction being affected by the player input,
- (i) select the second symbol based, at least in part, on the interaction, thereby changing the second symbol so as to change at least one of the combinations of symbols to a different one of the combinations of symbols,
- (j) evaluate the different combination of symbols, and
- (k) determine whether a payout is due based, at least in part, on the evaluation. --

Claim 67 (delete the content of previous claim & replace with the following):

-- A method of a gaming device comprising:

causing a plurality of reels to be displayed, wherein each one of the reels displays a plurality of symbols including a first symbol and a second symbol;

receiving a wager;

displaying the reels moving;

displaying the reels as stopped so as to cause the stopped reels to display a plurality of combinations of the symbols;

receiving a player input from the input device, wherein the player input is associated with a movement of the first symbol displayed on one of the stopped reels, wherein the movement occurs relative to at least said stopped reel;

displaying a third symbol other than the first symbol, the second symbol or any one of the other symbols of the reels;

displaying the movement of the first symbol;

displaying an interaction between the first symbol and the third symbol, wherein the interaction is affected by the player input;

selecting the second symbol based, at least in part, on the interaction, thereby changing the second symbol so as to change at least one of the combinations of symbols to a different one of the combinations of symbols;

evaluating the different combination of symbols; and

determining whether a payout is due based, at least in part, on the evaluation. --

Claims 58, 60, 64, 66, 70, & 72 are canceled.

Allowance

Claims 55-57, 59, 61-63, 65, 67-69, and 71 are allowed.

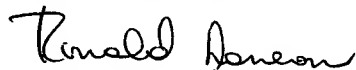
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tramar Harper whose telephone number is (571) 272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ronald Laneau
Primary Patent Examiner
Art Unit 3714

TH

8/17/07